

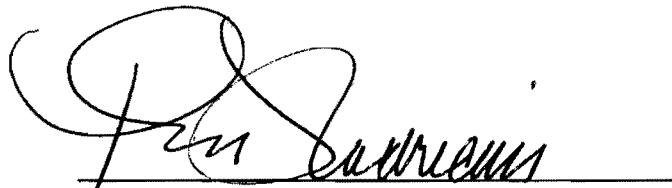
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re: MARK POWELL and POWELL DEVELOPMENT COMPANY, INC.,	:	
	:	Chapter 12
	:	5:10-BK-06255-JJT
Debtors.	:	
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CHESAPEAKE APPALACHIA, LLC and STATOIL USA ONSHORE PROPERTIES, INC.,	:	
	:	
	:	
Appellants,	:	3:13-CV-00035
	:	(JUDGE MARIANI)
	:	(APPEAL FROM BANKRUPTCY COURT)
v.	:	
	:	
	:	
MARK POWELL and POWELL DEVELOPMENT COMPANY INC.,	:	
	:	
	:	
Appellees.	:	
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ORDER

AND NOW, THIS 10th DAY OF NOVEMBER, 2015, upon consideration of the above-captioned creditors' appeal from the Bankruptcy Court's decision of September 18, 2012, **IT IS HEREBY ORDERED THAT:**

1. The Bankruptcy Court's decision is **VACATED** insofar as it holds that the parties' oil and gas lease is either an executory contract or an unexpired lease subject to rejection under 11 U.S.C. § 365.
2. The case is **REMANDED** to the Bankruptcy Court for any further proceedings consistent with this Order and its accompanying Opinion.



Robert D. Mariani
United States District Judge